



# FACILITY COMPLIANCE AUDIT REPORT

## Division of Waste Management

### Solid Waste Section

<b>UNIT TYPE: (check all that apply to this audit with same Permit number)</b>												
Lined MSWLF	<input type="checkbox"/>	LCID	<input type="checkbox"/>	YW	<input checked="" type="checkbox"/>	Transfer	<input type="checkbox"/>	Compost	<input type="checkbox"/>	SLAS	<input type="checkbox"/>	<b>COUNTY:</b> Clay  <b>PERMIT NO.:</b> 22-01  <b>FILE TYPE:</b> COMPLIANCE
Closed MSWLF	<input checked="" type="checkbox"/>	HHW	<input type="checkbox"/>	White goods	<input type="checkbox"/>	Incineration	<input type="checkbox"/>	T&P	<input checked="" type="checkbox"/>	FIRM	<input type="checkbox"/>	
CDLF	<input type="checkbox"/>	Tire T&P / Collection	<input type="checkbox"/>	Tire Monofill	<input type="checkbox"/>	Industrial Landfill	<input type="checkbox"/>	DEMO	<input type="checkbox"/>	SDTF	<input type="checkbox"/>	

**Date of Audit:** 6/30/08 **Date of Last Audit:** 8/30/07

**FACILITY NAME AND ADDRESS:**

Clay County Municipal Solid Waste Landfill  
 State Road 1148  
 Hayesville, N. C. 28904

**GPS COORDINATES: (Decimal Degrees) N: 35.02090** **W: 083.784 36**

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Paul Leek, Clay County Manager  
 Telephone 828-389-0089  
 Transfer Station: 828-389-9133

**FACILITY CONTACT ADDRESS (IF DIFFERENT):**

Paul Leek, Manager  
 Clay County  
 P. O. Box 118  
 Hayesville, N. C. 28904

**AUDIT PARTICIPANTS:**

Jim Patterson, NCDENR- Solid Waste Section  
 Roger Smith, Clay County Solid Waste Department

**STATUS OF PERMIT:**

Closed

**PURPOSE OF AUDIT:**

Post closure inspection of MSW Landfill

**NOTICE OF VIOLATION(S) (citation and explanation):**

**15A NCAC 13B .1626 (5)(d)** states: Fires that occur at a MSWLF require verbal notice to the Division within 24 hours and written notification shall be submitted within 15 days.

Clay County is in violation of 15A NCAC 13B .1626 (5)(d) for failure to notify the Division of the fire occurrence.

In order to achieve compliance, Clay County must immediately:

1. Complete the enclosed "fire occurrence form" and mail to: Troy Harrison  
 Division of Waste Management/Solid Waste Section  
 2090 Highway 70  
 Swannanoa, NC 28778

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**15A NCAC 13B .1626 (5)(b) states:** Open burning of solid waste, except for the infrequent burning of land clearing debris generated on site or debris from emergency clean-up operations, is prohibited at all MSWLF units. Any such infrequent burning must be approved by the Division.

A Notice of Violation is issued for the burning of land clearing materials at on landfill property.

In order to achieve compliance, Clay County must:

1. Respond in writing and include actions taken to discontinue open burning activity.

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$5,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. If the violation(s) noted here continue, you may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

**STATUS OF PAST NOTED VIOLATIONS (List all noted last audit):**

N/A

**AREAS OF CONCERN AND COMMENTS:**

1. Landfill operations ceased in April 9, 1994. All waste has been taken after that date to the new transfer station (Permit No. 22-02-T) located next to the landfill.
2. Vegetation was well established on top of the landfill.
3. The ground water monitoring wells were observed. **The monitoring wells were obscured by vegetation and difficult to locate. It is recommended that areas around the monitoring wells and access routes be cleared.**
4. No low areas on the cap were observed.
5. **The landfill needs to be mowed.**

**Yard Waste Area**

6. The facility had an annual Yard Waste Notification (YWN-22-001) area. This is located at the extreme northern section of the landfill that is not covered with MSW waste, according to Clay County. The material that is brought here appears to be mostly landclearing material that is ground twice per year. The grinding of land clearing material has requirements that are separate from the composting of yard waste. In addition, as of this year, notifications are no longer being issued for activities at permitted facilities. Clay County must request a Request for Acknowledgement Letter (RAL) for Treatment and Processing (T & P) of land clearing materials. If the facility wants to compost yard waste, then a separate RAL must be requested for that activity as well. **Please contact Mr. Allen Gaither, DWM-Solid Waste Section-Permitting at 828-296-4703 to request the appropriate RAL forms.**
7. A fire was observed burning at the T & P area. It was explained that it had accidentally caught on fire and burned all weekend. The fire had started burning again after attempts to extinguish, according to staff. **15A NCAC 13B .1626 (5)(d) states: "Fires that occur at a MSWLF require verbal notice to the Division within 24 hours and written notification shall be submitted within 15 days."** Clay County is in violation for not notifying the Division of the fire.
8. It was observed that the open of waste for disposal had occurred based on charred evidence not associated with the fire in progress during the audit. **15A NCAC 13B .1626 (5)(b) states: "Open burning of solid waste, except for the infrequent burning of land clearing debris generated on site or debris from emergency clean-up operations, is prohibited at all MSWLF units. Any such infrequent burning must be approved by the division." A Notice of Violation is issued for the burning of land clearing materials at the on landfill property.**

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Please contact me if you have any questions or concerns regarding this audit report.

Troy Harrison TROY HARRISON Phone: 828-296-4701  
*Regional Representative*

<b>Delivered on : <u>July 9, 2008</u> by</b>		hand delivery		US Mail	X	Certified No. 7004 1350 0001 6624 7008
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